



**United States Department of Justice  
Environment and Natural Resources Division  
Environmental Enforcement Section**

*Regular Mail:*  
Environmental Enforcement Section  
P.O. Box 7611, Ben Franklin Station  
Washington, DC 20044-7611

*Messenger and Overnight Delivery:*  
Environmental Enforcement Section  
601 D Street, N.W., Rm. 6547  
Washington, D.C. 20004

*Telephone:* (202) 514-5270  
*Facsimile:* (202) 514-4180  
*E-Mail:* [erika.zimmerman@usdoj.gov](mailto:erika.zimmerman@usdoj.gov)

**Response Requested by August 27, 2008**

Mascot Mines, Inc.  
Joe Wallace, President  
Ronald Eggart, Registered Agent  
110 South Division  
PO Box 660  
Kellogg, Idaho 83837

August 22, 1008

RE: the Bunker Hill Mining and Metallurgical Complex Superfund Site, Idaho

Mr. Wallace and Mr. Eggart:

In my letter dated August 14, 2008, I requested that, in order to toll any potential statute of limitations deadline for twelve months and avoid filing a complaint pursuant to Section 107(a) of CERCLA, 42 U.S.C. § 9607(a), against Mascot Mines, Inc. ("Mascot") on or before September 11, 2008, Mascot sign and return a proposed Tolling Agreement. Since sending the proposed Tolling Agreement on August 13, we have identified corrections which we need to make to the proposed agreement, and we request that Mascot sign and return this revised version of the Tolling Agreement by no later than August 27, 2008.

The revised Tolling Agreement has been corrected to cover the entire "Bunker Hill Mining and Metallurgical Complex Superfund Site." Please note that the site name has been changed in the title, footer and first paragraph of the proposed Tolling Agreement. In addition, there is a correction in the first paragraph to "the United States" rather than "the United States, on behalf of the Environmental Protection Agency."

Again, a tolling period of twelve months should allow us sufficient time to conduct settlement discussions without simultaneous litigation. The tolling period will also give the United States time to consider Mascot's financial resources and ability to pay a settlement amount. Please find attached the revised proposed Tolling Agreement with a tolling period of September 10, 2008 through September 12, 2009. I request that Mascot sign and return the attached revised Tolling Agreement to me by no later than Wednesday, August 27, 2008. If you have any questions regarding this matter, please contact me at [erika.zimmerman@usdoj.gov](mailto:erika.zimmerman@usdoj.gov) or

(202) 514-5270.

Sincerely,

/s

Erika M. Zimmerman  
Environmental Enforcement Section  
Environment & Natural Resources Division  
U.S. Department of Justice

cc:

Cara Steiner-Riley

Kelly Cole

U.S. Environmental Protection Agency, Region 10

enclosure